

227416

STATE OF SOUTH CAROLINA

(Caption of Case)

Application of Tega Cay Water Service, Inc.
for Adjustment of Rates and Charges and
Modifications to Certain Terms and Conditions
for the Provision of Water and Sewer Service

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET
NUMBER: 2009 - 473 - WS

(Please type or print)

Submitted by: Benjamin P. Mustian, EsquireSC Bar Number: 68269Address: Post Office Box 8416Telephone: 803-252-3300Columbia, SC 29202Fax: 803-771-2410

Other: _____

Email: bmustian@willoughbyhoefer.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition☐ Request for item to be placed on Commission's Agenda expeditiously☒ Other: _____

INDUSTRY (Check one)

- ☐ Electric
☐ Electric/Gas
☐ Electric/Telecommunications
☐ Electric/Water
☐ Electric/Water/Telecom.
☐ Electric/Water/Sewer
☐ Gas
☐ Railroad
☐ Sewer
☐ Telecommunications
☐ Transportation
☐ Water
☒ Water/Sewer
☐ Administrative Matter
☐ Other: _____

NATURE OF ACTION (Check all that apply)

- | | | |
|--|--|--|
| <input type="checkbox"/> Affidavit | <input checked="" type="checkbox"/> Letter | <input type="checkbox"/> Request |
| <input type="checkbox"/> Agreement | <input type="checkbox"/> Memorandum | <input type="checkbox"/> Request for Certification |
| <input type="checkbox"/> Answer | <input type="checkbox"/> Motion | <input type="checkbox"/> Request for Investigation |
| <input type="checkbox"/> Appellate Review | <input type="checkbox"/> Objection | <input type="checkbox"/> Resale Agreement |
| <input type="checkbox"/> Application | <input type="checkbox"/> Petition | <input type="checkbox"/> Resale Amendment |
| <input type="checkbox"/> Brief | <input type="checkbox"/> Petition for Reconsideration | <input type="checkbox"/> Reservation Letter |
| <input type="checkbox"/> Certificate | <input type="checkbox"/> Petition for Rulemaking | <input type="checkbox"/> Response |
| <input type="checkbox"/> Comments | <input type="checkbox"/> Petition for Rule to Show Cause | <input type="checkbox"/> Response to Discovery |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Petition to Intervene | <input type="checkbox"/> Return to Petition |
| <input type="checkbox"/> Consent Order | <input type="checkbox"/> Petition to Intervene Out of Time | <input type="checkbox"/> Stipulation |
| <input type="checkbox"/> Discovery | <input type="checkbox"/> Prefiled Testimony | <input type="checkbox"/> Subpoena |
| <input type="checkbox"/> Exhibit | <input type="checkbox"/> Promotion | <input type="checkbox"/> Tariff |
| <input type="checkbox"/> Expedited Consideration | <input type="checkbox"/> Proposed Order | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Interconnection Agreement | <input type="checkbox"/> Protest | |
| <input type="checkbox"/> Interconnection Amendment | <input type="checkbox"/> Publisher's Affidavit | |
| <input type="checkbox"/> Late-Filed Exhibit | <input type="checkbox"/> Report | |

Print Form

Reset Form

WILLOUGHBY & HOEFER, P.A.

ATTORNEYS & COUNSELORS AT LAW

930 RICHLAND STREET

P.O. BOX 8416

COLUMBIA, SOUTH CAROLINA 29202-8416

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ANDREW J. MACLEOD
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AREA CODE 803
TELEPHONE 252-3300
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TRACEY C. GREEN
ALAN WILSON
SPECIAL COUNSEL

*ALSO ADMITTED IN TX

December 22, 2010

VIA HAND DELIVERY

The Honorable Jocelyn D. Boyd
Chief Clerk/Administrator

Public Service Commission of South Carolina

101 Executive Center Drive
Columbia, South Carolina 29210

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forming an advisory committee to promote dialogue between the customers and TCWS. During this initial forum, TCWS and customers discussed several issues; however, the customers present at the meeting did not raise any concerns about TCWS's water quality or black sediment.

The Company continued its investigation further by reviewing its records to determine if any pattern to sediment complaints could be detected. According to TCWS's records, customers who contact the Company alleging the presence of black sediment in their fixtures typically report the problem following their absence from the home and/or discontinued use of plumbing fixtures for one week or more. Following these periods of absence or discontinued use, some customers have reported observing black sediment in their toilets. The Company's research leads it to conclude that the development of black sediment after this period of time is most likely airborne bacteria, algae or fungus that adheres to the moist area located at the waterline of the toilet bowl. These organisms are naturally occurring and thrive in areas such as a toilet bowl, and can be effectively prevented through regular cleaning and sanitization of the fixtures. As well, because these organisms are airborne and naturally occurring, they cannot be eliminated through additional treatment of the water supply. The Company's research also suggests that customers who are afflicted with diabetes may be more prone to experiencing black sediment in toilets. Untreated or improperly treated diabetics have a decreased ability to metabolize protein and glucose and, as a result, may discharge these elements at higher than normal levels. Because bacteria, algae and fungi consume protein and glucose, higher levels of these substances can, therefore, promote accelerated organism growth.

Although iron and manganese in water can naturally cause a black ring in fixtures, this problem is more likely to occur in systems which are supplied with well water. TCWS has not supplied well water to its customers for over ten years. Rather, all of the water supplied to the Company's customers is bulk water supplied by York County from surface sources.

As stated in the Company's testimony in this proceeding, TCWS is committed to providing quality water service to its customers which meets all of the DHEC standards for water quality. TCWS's investigation shows that these issues are related, not to the quality of the water provided, but to the growth of naturally occurring bacteria which can be controlled through regular cleaning and sanitization. However, the Company is continuing to monitor the situation and will work with customers to identify any problems which may occur in the future.

(Continued . . .)

If the Commission has any questions or needs additional information, please do not hesitate to contact me.

Sincerely,

WILLOUGHBY & HOEFER, P.A.

A handwritten signature in black ink, appearing to read "Ben Mustian", with a long horizontal flourish extending to the right.

Benjamin P. Mustian

BPM/ct
Enclosures

cc: Jeffrey M. Nelson, Esquire
James E. Sheedy, Esquire
Susan E. Driscoll, Esquire

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